

(CCC)

HOWARD TRAPP
HOWARD TRAPP INCORPORATED
200 Saylor Building
139 Chalan Santo Papa
Hagåtña, Guam 96910
Telephone (671) 477-7000

Attorney for defendant Eric John Tudela Mafnas

FILED
Clerk
District Court

MAR 24 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

DISTRICT COURT FOR THE
NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA, (Case No. CR 04-00038
Plaintiff,) MOTION
vs.)
ERIC JOHN TUDELA MAFNAS, et)
al.,)
Defendants.)

Defendant Mafnas respectfully moves the Court pursuant to Rule 38(b)(2) of the Federal Rules of Criminal Procedure for a recommendation to the United States Bureau of Prisons that he be confined in Saipan for at least two weeks after the date on which the transcript on appeal is expected to be prepared, that is to say, at least until May 10, 2006, on the grounds that his attorney on appeal is different than his attorney at trial; that he and his attorney on appeal would not otherwise be able to have sit-down, face to face conferences; and that he and his attorney on appeal will thereby remain in the same time

COPY

(MOTION)
Case No. CR 04-00038

zone and be considerably more accessible to one another by telephone.

Dated at Hagåtña, Guam.

March 24, 2006.


HOWARD TRAPP
For HOWARD TRAPP INCORPORATED
Attorney for defendant
Eric John Tudela Mafnas

(DOCUMENT\MTNCONE\ESPN.EMAI\NAS)

2

DECLARATION OF SERVICE

I, Charlene C. Cruz, declare that I am an administrative assistant employed in the office of Howard Trapp Incorporated, Howard Trapp, Esq., the attorney for defendant Eric John Tudela Mafnas herein, and that I served the document to which this declaration is annexed on the following:

Timothy E. Moran, Esq., Assistant United States Attorney, the attorney for plaintiff, by transmitting a facsimile thereof to him at (670) 236-2985 and by mailing a copy thereof to him at P.O. Box 500377, Saipan, MP 96950, his last known facsimile telephone number and mailing address, respectively, all on March 24, 2006; and

G. Anthony Long, Esq., the attorney for defendant Charlie Kintaro Patris, by transmitting a facsimile thereof to him at (670) 235-4801 and by mailing a copy thereof to him at P.O. Box 504970, San Jose, Saipan, MP 96950, his last known facsimile telephone number and mailing address, respectively, all on March 24, 2006.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 24, 2006, at Hagåtña, Guam.



CHARLENE C. CRUZ